

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE

DARRYL J THOMAS, SR., and
KESIA M THOMAS,
Debtors

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BRIDGECREST CREDIT COMPANY, LLC AS  
SERVICER FOR CARVANA, LLC,  
Movant

vs.

DARRYL J THOMAS, SR., and  
KESIA M THOMAS,

Respondent(s)

and

KENNETH E. WEST

Trustee

CHAPTER 13

CASE NO.: 23-12694-AMC

**HEARING DATE:**

Tuesday, March 05, 2024  
11:00 A.M.

**LOCATION:**

900 Market Street, Suite 400  
Courtroom No. 4  
Philadelphia, PA 19107

**MOTION FOR RELIEF FROM AUTOMATIC STAY**

AND NOW, comes the above-captioned Movant, Bridgecrest Credit Company, LLC as Servicer for Carvana, LLC, by and through their attorney, Regina Cohen, who files this Motion based upon the following:

1. The Movant is a corporation having a principal place of business located at 7457 E. Hampton Ave., Mesa, AZ 85209.
2. The Respondents, Darryl J Thomas, Sr. and Kesia M Thomas are an individual with a mailing address at 204 W. 23rd Street, Chester, PA 19013, who have filed a Petition on September 08, 2023 under Chapter 13 of the Bankruptcy Code.
3. On or about December 11, 2020, Debtor Darryl J Thomas, Sr. entered into a Retail Installment Sales Contract, involving a loan in the amount of \$25,519.60 for the purchase of a 2012 Lincoln Navigator Utility 4D 4WD 5.4L V8.
4. The vehicle secured by the Contract has V.I.N. 5LMJJ2J56CEL02903.

5. Movant is the assignee of the Contract.

6. The above – described vehicle is encumbered by a lien with a payoff in the amount of \$19,356.46 plus other appropriate charges as of January 31, 2024 but subject to change. The regular monthly payment is \$627.00 at an interest rate of 21%.

7. Applying payments received to the earliest payment due, payments have been missed post-petition, since November 11, 2023 in the amount of \$1,388.00, plus all applicable late charges, interest, attorneys' fees and costs.

8. The Property has a N.A.D.A. Value of \$10,425.00.

9. The vehicle is not necessary to an effective reorganization.

10. The Movant is the only lienholder of record with regard to the vehicle.

11. Failure to make adequate protection payments is cause for relief from the automatic stay.

12. The Movant has incurred attorney's fees in the filing of this Motion.

13. The vehicle is a rapidly depreciating asset. Movant requests the waiver of Rule 4001(a)(3).

WHEREFORE, Movant prays for your Honorable Court to enter an Order permitting the Movant to proceed with the repossession proceedings of the aforementioned vehicle.

Respectfully submitted,  
Lavin, Cedrone, Graver, Boyd & DiSipio

/s/ Regina Cohen  
Regina Cohen  
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